

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FIRST DATA MERCHANT SERVICES LLC

Plaintiff,

Case No.: 1:19-cv-10964

v.

MM DEVELOPMENT COMPANY d/b/a
PLANET 13; SISTEM COMMERCE CITY
LLC d/b/a SILVER STEM FINE CANNABIS;
KTZ HOLDINGS, INC. d/b/a SILVER STEM;
GTR SOURCE LLC; NEW YORK CITY
MARSHAL STEPHEN W. BIEGEL; ML
FACTORS FUNDING LLC; PELICAN
COMMUNICATIONS, INC. d/b/a THE
PELICAN GROUP; LINX CARD, INC.; and
GIVV, INC.

PRELIMINARY

Defendants.

**PROPOSED ORDER GRANTING PLAINTIFF'S RENEWED MOTION
FOR PERMANENT INJUNCTION PURSUANT TO 28 U.S.C. § 2361**

PKC

Plaintiff First Data Merchant Services LLC ("First Data"), by and through its attorney of record, John Peterson of Polsinelli PC, filed a Renewed Motion for Permanent Injunction pursuant to 28 U.S.C. § 2361. First Data requested an Order from this Court restraining any and all claimants, including but not limited to Defendants MM Development Company d/b/a Planet 13 and Pelican Communications, Inc. d/b/a The Pelican Group from prosecuting any and all claims to the Disputed Funds. First Data further requested this Court enjoin any and all claimants, including but not limited to Defendants, from initiating any suit against First Data relating in any manner to the the Disputed Funds or their related transactions.

The Court, having considered the motion, the supporting evidence, and the pleadings filed in this case, and finding that the relief requested is supported by the record and promotes the effectiveness of the interpleader action, GRANTS ^(without opposition) First Data's Renewed Motion for ^{Permanent} Injunction pursuant to 28 U.S.C. § 2361.

IT IS HEREBY ORDERED:

pending the
hearing and
determination
of the motion for a
permanent
injunction.

PKC

1. Any and all claimants, including Defendants MM Development Company d/b/a Planet 13 and Pelican Communications, Inc. d/b/a The Pelican Group, are hereby enjoined from prosecuting any and all claims, counterclaims, third-party claims, or other such claims against First Data relating in any manner to the Disputed Funds or their related transactions, including the claims and cross-claims pled in the case styled *MM Development Company, Inc. d/b/a Planet 13 v. Linx Card et al.*, Case No. C19-02278, pending further order of this Court.

2. Any and all claimants, including but not limited to Defendants, are hereby enjoined from initiating or prosecuting any and all claims, cross-claims, counterclaims, third-party claims, or other such claims against First Data relating in any manner to the Disputed Funds or their related transactions, pending further order of this Court.

PKC 3. Bonds waived.



Hon. P. Kevin Castel
U.S. District Judge
Southern District of New York

3-24-20
12:36 pm